

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Commercial Taxes Department - Zone- III - Guntur Division -Sri M. Prasad, Deputy Commercial Tax Officer , O/o. Commercial Tax Officer , Patnam Bazar, Guntur Division - inclusion of his name in the panel of Deputy Commercial Tax Officers of Zone - III for the year 2003-04 - Orders - Issued

REVENUE(COMMERCIAL TAXES I)DEPARTMENT

GO Rt No 1140

dt.5/08/2009  
Read the following

1. From the CCT Lr. Ref.No.DZ(2)/1129/2006, Dated 23.12.2006.
2. Memo No.60500/CT.I(2)/2006-2, Dated :30-03-2007.
3. From the CCT Lr. Ref.No.DZ(2)/1129/2006, Dated 30.10.2008.
4. From the CCT Lr. Ref.No.DZ(2)/1129/2006, Dated 30.1.2009

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ORDER:

The Commissioner of Commercial Taxes has stated that Sri M. Prasad (ST) the then Assistant Commercial Tax Officer was involved in a disproportionate assets case and placed under suspension vide Deputy Commissioner (CT), Guntur Letter Dt.23.09.2002 and subsequently reinstated into service vide Commissioner of Commercial Taxes's Lr. Dt.06.06.2005. Sri M. Prasad filed O.A. before the Hon'ble Andhra Pradesh Administrative Tribunal seeking a direction to grant appropriate relief, declaring the action of the respondents in with holding his promotion as Deputy Commercial Tax Officer on the sole ground that the ACB had conducted a raid on 08.02.2002 and not filed any charge sheet against him. The Hon'ble Andhra Pradesh Administrative Tribunal has allowed the O.A. vide its orders Dt.08.03.2006 in O.A.No.471/2006 and directed the respondents to consider the case of the applicant for promotion to the post of Deputy Commercial Tax Officer for the panel year 2005-06 if no charge memo is served and if no charge sheet is filed in a criminal court before the Departmental Promotion Committee meets.

2. As per the orders of the Hon'ble Andhra Pradesh Administrative Tribunal, DPC was convened on 11.09.2006 and recommended for inclusion of his name in the panel year of 2005-06. Accordingly, he was promoted and posted as Deputy Commercial Tax Officer, Patnam Bazar, O/o. Commercial Tax Officer, Patnam Bazar, Guntur-I Division vide Commissioner of Commercial Taxes's ref. Dt.14.09.2006. In the mean time, Government have dropped further action against Sri M. Prasad, Assistant Commercial Tax Officer, O/o. the Deputy Commissioner(CT), Nellore in G.O.Rt.No.2010,Rev(Vig I) Department Dt.12.09.2006 as there is no case of disproportionate assets against him. The DC(CT), Guntur has treated the suspension period of Sri M. Prasad as duty.

3. Since, the Government have dropped charges against him, Sri M. Prasad, Deputy Commercial Tax Officer has requested for inclusion of his name in the appropriate panel year. The Commissioner of Commercial Taxes has conducted DPC meet on 12.12.2006 and examined the issue with all relevant records, including the G.O.Rt.No.2010, Dt.12.09.2006 and recommended for inclusion of the name of Sri M. Prasad in the panel of 2003-04 of Deputy Commercial Tax Officers of Zone-III.

4. The Commissioner of Commercial Taxes has requested the Government to revise the panel of Deputy Commercial Tax Officers of Zone-III for the year 2003-04 and Sri M. Prasad may be placed at Sl.No.40-A above Sri K. Venkataiah and below Sri N. Balaramaiah in the finalised seniority list of Deputy Commercial Tax Officers of Zone-III published in A.P. Gazette No.303, Dt.30.05.2006.

5. After careful examination , Government in the reference 2<sup>nd</sup> read above, have provisionally decided to include the name of Sri M. Prasad, Deputy Commercial Tax Officer in the panel of Deputy Commercial Tax Officers of Zone-III for the year 2003-2004 at Sl.No.40-A above Sri K. Venkataiah and below Sri N. Balaramaiah in the finalized seniority list of Deputy Commercial Tax Officers of Zone-III published in A.P. Gazette No.303, Dated 30.05.2006, and directed the Commissioner of Commercial Taxes to follow the procedure laid down under rule 24 of Andhra Pradesh State & Subordinate Service Rules,

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1996, i.e. issue of Show-cause Notices to the affected persons and also to examine the objections if any received etc.

6. The Commissioner of Commercial Taxes has issued show cause notices to the affected persons calling objections from the affected persons. No objections have been received from the affected persons within the stipulated time.

7. After examining the entire matter, Government hereby confirms the provisional decision taken in reference 2<sup>nd</sup> read above including the name of Sri Sri M. Prasad, Deputy Commercial Tax Officer in the panel of Deputy Commercial Tax Officers of Zone-III for the year 2003-2004 at Sl.No.40-A above Sri K. Venkataiah and below Sri N. Balaramaiah in the finalized seniority list of Deputy Commercial Tax Officers of Zone-III published in A.P. Gazette No.303, Dated 30.05.2006.

8. The Commissioner of Commercial Taxes shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad.  
The individual through the Commissioner  
of Commercial Taxes, A.P. Hyderabad.  
SF/SCs.

//FORWARDED BY ORDER//

SECTION OFFICER